
Introduction to Oregon Psilocybin Services and Ballot Measure 109, The Oregon Psilocybin Services Act

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**PUBLIC HEALTH DIVISION
Oregon Psilocybin Services**

Oregon Health Authority Strategic Plan

OHA has developed a strategic plan with a single overarching goal: to **eliminate health inequities in Oregon by 2030.**

“Oregon will have established a health system that creates health equity when all people can reach their full health potential and well-being and are not disadvantaged by their race, ethnicity, language, disability, gender, gender identity, sexual orientation, social class, intersections among these communities or identities, or other socially determined circumstances.”

State Health Improvement Plan: *Healthier Together Oregon, 2020-2024*

In early 2019, the PartnerSHIP identified five priorities:

- **Institutional bias**
- **Adversity, trauma and toxic stress**
- **Economic drivers of health**
- **Access to equitable preventive health care**
- **Behavioral health**

OPS is committed to health equity and working toward the agency's strategic plan goal of eliminating health inequities by 2030, as well as connecting our work to the goals outlined in Healthier Together Oregon, Oregon's State Health Improvement Plan (SHIP) for 2020-24.

Oregon Psilocybin Services Section

Oregon Psilocybin Services is a new section housed within the Oregon Health Authority Public Health Division's Center for Health Protection.

The OPS team has been designed around three program areas:

- **Policy and Engagement**
- **Licensing**
- **Compliance**

Each program will center on health equity, including outreach to partners and communities and working to ensure access to services.

Oregon Psilocybin Advisory Board

The Oregon Psilocybin Advisory Board:

- Advises OHA on available scientific studies and research on the safety and efficacy of psilocybin in treating mental health conditions, and make recommendations on the requirement, specifications, and guidelines for providing psilocybin services in Oregon
- Develops a long-term strategic plan for ensuring that psilocybin services will remain a safe, accessible, and affordable option for persons 21 years of age and older
- Monitors and study federal laws, regulations, and policies regarding psilocybin

Current OPAB subcommittees include **Equity, Training, Research, Products, and Licensing Subcommittees.**

Ballot Measure 109: The Oregon Psilocybin Services Act

In November of 2020, Ballot Measure 109, the Oregon Psilocybin Services Act was passed by voters in Oregon.

M109:

Creates a license and regulatory framework for production of psilocybin and facilitation of psilocybin services for adults 21 years of age and older

M109 does not:

- Create a consumer market for psilocybin
- Allow for export or import of psilocybin
- Allow licensees to interact with unregulated markets

Licensure Types

Manufacturer License

- Greater than 50% ownership group are Oregon residents
- An individual may not hold an interest in multiple manufacturers
- Must demonstrate that property owner has consented to production of psilocybin
- Cannot cultivate outdoors
- Premise must have defined boundaries
- Cannot exceed production quantities established in rule

Licensure Types

Testing Lab License

- All psilocybin products must be tested by a licensed laboratory prior to transfer to Service Center
- Laboratories must be accredited by the Oregon Environmental Laboratory Accreditation Program
- Testing results must be entered in the product tracking system

Licensure Types

Facilitator License

- Must complete **OHA approved training program** before applying for licensure
- Must have been an Oregon resident for two years (expires January 2025)
- Must pass exam approved or administered by OHA
- Cannot transfer psilocybin products to clients

Licensure Types

Service Center License

- Greater than 50% of ownership group are Oregon residents
- An individual may not hold an interest in more than five service centers
- Cannot be located within 1000 feet of a school
- Must have defined boundaries
- Transfers psilocybin products to client for use during administration session
- Only license authorized to transfer psilocybin products to clients
- Most employees will be required to hold a **worker permit** issued by OHA

Psilocybin Services

Psilocybin will only be administered to persons 21 years or older in licensed service center settings under the supervision of trained and licensed facilitators.

Psilocybin Services may include:

- Preparation Session
- Administration Session
- Integration Session (optional)

Product Tracking

Product tracking system required to track manufacturing, sale and transfer of psilocybin products to:

- Prevent diversion
- Prevent tampering
- Ensure accurate accounting
- Ensure accurate reporting of lab testing results

OHA shall:

- Develop and maintain tracking system, or
- Contract with Oregon Liquor and Cannabis Commission (OLCC) to use cannabis tracking system vendor

Local Government Issues

Local Government Opt-Out:

- Local governments (cities and counties) may adopt ordinances that prohibit Manufacturers and Service Centers
- Ordinances must be referred to voters at the next general election

Local Government Time Place and Manner Regulations

- Local governments may adopt reasonable regulations on hours, location, and operation of licenses
- Local taxes and fees are prohibited

Land Use Compatibility Statements (LUCS)

- Applicants for Service Center and Manufacturer licenses are required to request a LUCS from their local government before submitting a license application

License and Application Fees, Taxes

License and Application Fees

- OHA shall adopt rules designating application, license, and renewal fees for all license types
- Fees must be reasonably calculated not to exceed the cost of administration
- Oregon Psilocybin Services will be a fee-based program and fees must cover the costs associated with the agency's work

Taxes

- Service Centers collect a 15% tax on the sale of psilocybin products payable to Oregon Department of Revenue
- Tax revenues help fund administrative costs for Department of Revenue and Oregon Psilocybin Services

M109 Statutory Requirements

- Development Period: **January 1, 2021 to December 31, 2022**
- OHA published the Rapid Evidence Review: **July 31, 2021**
- Oregon Psilocybin Advisory Board will submit findings and recommendations: **June 30, 2022**
- OHA shall adopt rules: **December 31, 2022**
- OHA will begin receiving applications for licensure: **January 2, 2023**

Accomplishments

- **Oregon Psilocybin Advisory Board** meetings and recommendations
- **Scientific Literature Review** published on July 30, 2021, translated into Spanish in September 2021
- **Oregon Psilocybin Services Website** rebuilt in September 2021
- **Oregon Psilocybin Services Public Listening Sessions** held December 13-15, 2021, and will be scheduled for July 2022 with Spanish, American Sign Language Interpretation, and CART captioning
- **Oregon Psilocybin Services Community Interest Survey** administered January 7, 2022, translated into Spanish, Russian, Vietnamese, Simple Chinese/Mandarin, and Somali, and Survey Findings Report published February 2022
- **Oregon Psilocybin Services Rulemaking Advisory Committees** held in February for Training Programs, Products, and Testing (rules adopted on May 20, 2022), and more RACs will be scheduled for September 2022 for remainder of rules
- **Oregon Psilocybin Services** accepting applications from training programs for curriculum approval on June 6, 2022
- **Oregon Psilocybin Advisory Board** to make recommendations to OHA by June 30, 2022 for remainder of rules

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OHA Key Dates

- **November 24, 2021:** Recommendations for Training/Products
- **December 2021:** Public Listening Sessions
- **January 1, 2022:** Community Interest Survey
- **February 14-25, 2022:** RAC for Training/Products
- **April 1-21, 2022:** Public Comment for Training/Products
- **May 13, 2022:** Effective Date for Training/Products
- **June 1, 2022:** OHA begins accepting applications for training programs
- **June 30, 2022:** Recommendations for Remaining Rules
- **July 2022:** Public Listening Sessions
- **September 2022:** RAC for Remaining Rules
- **November 1-21, 2022:** Public Comment for Remaining Rules
- **December 30, 2022:** Effective Date for Remaining Rules
- **January 2, 2023:** OHA begins accepting applications for licensure

OHA Engagement

- Oregon's 9 Federally Recognized Tribes
- Psilocybin Partners
- Academic Institutions
- Professional Associations
- Advocacy Organizations
- Internal Agency Partners
- External State Agency Partners
- Professional Boards
- Local Governments
- Local Public Health Authorities
- Law Enforcement
- Members of the public

Opportunities for Public/Partner Engagement

- Open seats for Oregon Psilocybin Advisory Board
- Participation in Rulemaking Advisory Committees (2/22 and 9/22)
- Public comment period in response to draft rules (4/22 and 11/22)
- OHA Public Listening Sessions (12/2021 and 7/2022)
- Oregon Psilocybin Services Community Interest Survey (1/22)
- Opportunities to listen to advisory board and subcommittee meetings (public meetings) and make public comments during public comment period
- Sign up on Oregon Psilocybin Services website for distribution list
- Job recruitment for Oregon Psilocybin Services team

Thank You!

Please visit our website:

<https://www.Oregon.gov/psilocybin>